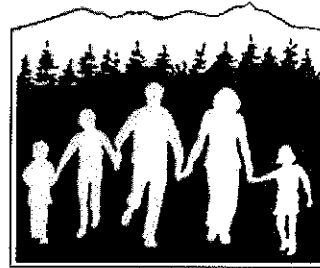


Citizens For Parental Rights

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March 7, 2012

Dear Senator Emmons,

We are requesting that you **please do not vote on SB 1005 in Committee today.** Having just received notice yesterday of its introduction and scheduling for a hearing, our Board members have not all even had time to read and form an opinion on the bill. Those who have read it, including myself, have serious concerns that it is not specific enough for implementation consistent with the intent of the sponsors. Our Board members include responsible citizens who have held and run for elected offices (including Sheriff, Judge, and State Senate) and none of us condones child abuse. We very likely share similar values on this topic, and would like to work with you and the other sponsors to improve the wording.

We believe the bill is not nearly specific enough in its wording. For example,

1. It would require a lawyer-guardian ad litem TO PARTICIPATE IN TRAINING IN EARLY CHILDHOOD, CHILD, AND ADOLESCENT DEVELOPMENT, but it does not specify whether this would be one hour, one degree program, or on-the-job training.
2. The bill allows termination of parental rights for SEXUAL ABUSE AS THAT TERM IS DEFINED IN SECTION 2 OF THE CHILD PROTECTION LAW, 1975 PA 238, MCL 722.622. In 722.622 sexual abuse is defined as (w) "*Sexual abuse*" means engaging in sexual contact or sexual penetration as those terms are defined in section 520a of the Michigan penal code, 1931 PA 328, MCL 750.520a, with a child.
In 750.520a (q) "*Sexual contact*" includes the intentional touching of the victim's or actor's intimate parts or the intentional touching of the clothing covering the immediate area of the victim's or actor's intimate parts, if that intentional touching can reasonably be construed as being for the purpose of sexual arousal or gratification, done for a sexual purpose, or in a sexual manner for: (i) Revenge. (ii) To inflict humiliation. (iii) Out of anger
In turn, (r) "*Sexual penetration*" means sexual intercourse, cunnilingus, fellatio, anal intercourse, or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal openings of another person's body, but emission of semen is not required.

If you will reread just the underlined items, these will show how the law could be applied in a manner far beyond the type of child abuse which merits termination of parental rights.

3. The bill also states that parental rights may be terminated if THE PARENT IS REQUIRED TO REGISTER UNDER THE SEX OFFENDERS REGISTRATION ACT, 1994 PA 295, MCL 28.721 TO 28.736. One friend of our organization who holds elected office and has practiced family law makes this comment.

"So, at age 17, you're convicted of CSC 2nd degree for massaging the breast of your 15 year old girlfriend. You're put on the sex offenders registry. Two years later you marry her. 15 years of law abiding behavior later, CPS wants to snatch your child because you're on the registry. CPS wants to force your former victim, now wife, to kick you out and divorce you to prove she's adequately protective of the child. Does this seem reasonable ??? I don't think so."

Again we believe that in general we share much in values concerning child abuse and family rights. But we have heard from many who have suffered greatly from overzealous CPS workers, operating under laws that are too vague, motivated at least somewhat, by federal funding that, in the opinion of many, has far too great an influence.

I have already scheduled a meeting with Senator Jones regarding this bill, and have talked briefly with your chief of staff on this. We would like an opportunity to discuss this bill with you in the very near future. Again *please put off a vote in committee on SB 1005* until we can have further conversation and if necessary bring some of our members and injured parents to a hearing.

Sincerely,

John W. Tuinstra, President
Citizens For Parental Rights

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